

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

CYNTHIA M. FREY (CABN 150571)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: cynthia.frey@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LENZIE ELLIS,)
)
Defendant.)

No. CR 09-0154 SI

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME BETWEEN
APRIL 6, 2010 AND APRIL 16, 2010
FROM CALCULATIONS UNDER THE
SPEEDY TRIAL ACT (18 U.S.C. § 3161)

The defendant, Lenzie Ellis, represented by Mary McNamara, and the government, represented by Cynthia M. Frey, Assistant United States Attorney, appeared before the Court on April 6, 2010 for an initial appearance and identification of counsel and to set the matter for a status conference before the Hon. Susan Ilston. The status conference was set for April 16, 2010. The Government requested that time be excluded under the Speedy Trial Act between April 6, 2010 and April 16, 2010 for purposes of continuity of and effective preparation of counsel, in order to provide defense counsel with adequate time to review the discovery and consult with the defendant. The defendant agreed to exclude time until April 16, 2010.

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ORDER EXCLUDING TIME
CR 09-0154 SI

1 In addition, the defendant agrees to exclude for this period of time any time limits
2 applicable under 18 U.S.C. § 3161. The parties represent that granting the continuance, in order
3 to provide defense counsel with adequate time to review the discovery and consult with the
4 defendant, is necessary for continuity of defense counsel and effective preparation, taking into
5 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that
6 the ends of justice served by granting such a continuance outweighed the best interests of the
7 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8
9 SO STIPULATED:

10 JOSEPH P. RUSSONIELLO
11 United States Attorney

12 DATED: April 15, 2010

13 /s/
CYNTHIA M. FREY
14 Assistant United States Attorney

15 DATED: April 15, 2010

16 /s/
MARY MCNAMARA
17 Attorney for LENZIE ELLIS

1 Based upon the representation of counsel and for good cause shown, the Court finds that
2 failing to exclude the time between April 6, 2010 and April 16, 2010 would unreasonably deny
3 the defendant continuity of counsel and would deny counsel the reasonable time necessary for
4 effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
5 § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the
6 time between April 6, 2010 and April 16, 2010 from computation under the Speedy Trial Act
7 outweigh the best interests of the public and the defendant in a speedy trial.

8 Therefore, IT IS HEREBY ORDERED that the time between April 6, 2010 and April 16,
9 2010 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.
10 § 3161(h)(7)(A) and (B)(iv).

11
12 DATED: 04/19/2010

